

PHILLIP A. TALBERT
United States Attorney
JEFFREY A. SPIVAK
CODY S. CHAPPLE
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIX ALEJANDRO,

Defendant.

CASE NO. 1:24-CR-00045-JLT-SKO
1:11-CR-00354

**STIPULATION TO SET CHANGE OF PLEA
HEARING, SET ADMIT HEARING, AND
EXCLUDE TIME**

The parties stipulate as follows:

1. The defendant was sentenced on September 23, 2013, on charges related to an Indictment filed in this district, Case No. 1:11-CR-00354. He was sentenced to 140 months imprisonment and 60 months of supervised release. His supervision began on July 2, 2020.

2. An Order and Petition for Warrant or Summons for Person Under Supervision was filed on August 4, 2023, against the defendant. The defendant had his initial appearance on February 5, 2024, and was ordered detained.

3. A separate indictment was filed in this district on February 29, 2024, and the defendant was arraigned on the indictment on March 5, 2024. That case is numbered 1:24-CR-00045-JLT-SKO. The Court set status conferences for both cases on April 17, 2024. On April 12, 2024, the government

made a plea offer to the defendant in both cases. Later, the Court continued the status conference in both cases to May 15, 2024, and again to July 3, 2024, and July 17, 2024. The Court also excluded time up to July 3, 2024, in the case numbered 1:24-CR-00045-JLT-SKO.

4. On April 12, 2024, the government made a plea offer regarding both cases to the defendant. The parties have met and conferred regarding the pre-trial resolution of this case and the defendant intends to enter a plea in the case numbered 1:24-CR-00045-JLT-SKO and admit to the charges in the case numbered 1:11-CR-00354. The parties reached out to the district court for available dates.

5. Now, the parties agree to set a change of plea hearing in the case numbered 1:24-CR-00045-JLT-SKO, an admit hearing on the supervised release violation in the case numbered 1:11-CR-00354 before the district court on September 3, 2024, and to vacate the status conference set on July 17, 2024, in both cases. The September 3, 2024, date was cleared with the district court.

6. The parties also agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. The parties also agree that the period from July 17, 2024, through September 3, 2024, should be excluded. Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), in the case numbered 1:24-CR-00045-JLT-SKO.

7. The parties agree that the Speedy Trial Act is not implicated in this case numbered 1:11-CR-00354-JLT-SKO, involving the defendant's violations of his supervised release conditions.

IT IS SO STIPULATED.

Dated: July 15, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Cody Chapple
Jeffrey Spivak
Cody Chapple
Assistant United States Attorney

Dated: July 15, 2024

/s/ Victor Nasser
Victor Nasser
Counsel for Alejandro Felix.

ORDER

Pursuant to the parties' Stipulation and for good cause shown,

1. The status conferences for the cases numbered 1:24-CR-00045-JLT-SKO and 1:11-CR-00354-JLT-SKO on July 17, 2024, is hereby vacated;
2. A change of plea hearing will be set on September 3, 2024, in the case numbered 1:24-CR-00045-JLT-SKO before District Judge Jennifer L. Thurston;
3. An Admit/Deny Hearing will be set on September 3, 2024, in the case numbered 1:11-CR-00354-JLT-SKO before District Judge Jennifer L. Thurston; and
4. The period from July 17, 2024, through September 3, 2024, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) in the case numbered 1:24-CR-00045-JLT-SKO.

IT IS SO ORDERED.

DATED: 7/15/2024

Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE